

Remarks

In the subject Office Action, the Examiner rejected pending claims 1-10 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Pat. No. 6,629,909. Applicants respectfully traverse this rejection and request reconsideration for the reasons set forth below.


Claims 1-7 of the '909 patent recite left and right cranks that are disposed between left and right crank supports, and at least one elliptical foot path that extends between the cranks. In other words, the crank supports are outboard relative to the cranks, and the cranks are outboard relative to at least one elliptical foot path.

Claims 1-10 of the subject application do not recite any such outboard crank supports (relative to the cranks) or outboard cranks (relative to a foot path). Some of the dependent claims do recite movement of the foot supports inside a radius defined by respective cranks. However, this limitation can be accomplished without practicing the invention claimed in the '909 patent. In this regard, the recited foot paths can be positioned outboard relative to the cranks, as opposed to inboard relative to the cranks.

Having addressed the issue raised in the subject Action, Applicants respectfully request reconsideration and allowance of this application. If any issue remains unresolved, the Examiner is

certainly welcome to contact Applicants' undersigned representative at the telephone number set forth below to discuss same.

Respectfully submitted,



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